

FILED
U.S. DISTRICT COURT
DISTRICT OF ALASKA

1998 MAR 10 PM 12:27

IN THE

UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
191.07 ACRES OF LAND, MORE OR)
LESS, SITUATED IN THE DENALI)
BOROUGH, STATE OF ALASKA, AND)
MILAN MARTINEK)
)
Defendants.)

CIVIL NO.

198 072 CIV

DECLARATION OF TAKING

TO THE HONORABLE, THE UNITED STATES DISTRICT COURT:

Pursuant to the authority delegated by the Secretary of the Interior to the Solicitor of the Department of the Interior February 17, 1959, under subparagraphs (6) and (7) of 210.2.2, Departmental Manual of the Department of the Interior, 24 F.R. 1348, as renumbered (5) and (6) of 209.3.2A in the Departmental Manual, as redelegated by the Solicitor, I do hereby make and cause to be filed this Declaration of Taking and declare that:

1. The land hereinafter described is taken under and in accordance with the authority set forth in Schedule "A" annexed hereto and made a part hereof.

EXHIBIT 5
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2. The public uses for which said land is taken are also set forth in said Schedule "A."

3. A general description of the tract of land taken, the estimated just compensation therefor, and the estate taken for said public uses are set forth in Schedule "B" annexed hereto and made a part hereof.

4. A plat showing the land taken is annexed hereto as Schedule "C" and made a part hereof.

5. The sum estimated as just compensation for said land, which aggregates 191.07 acres, more or less, including any and all interests taken in said land, is NINETY-ONE THOUSAND AND NO/100 DOLLARS (\$91,000.00), which sum I cause to be deposited in the registry of the court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said land probably will be within any limits prescribed by law on the price to be paid therefor.

IN WITNESS WHEREOF, I have signed this Declaration of Taking in the City of Anchorage, Alaska, this 29th day of January, 1998.



Lauri J. Adams
Regional Solicitor, Alaska
Department of the Interior

CERTIFICATE OF SERVICE

The undersigned hereby certifies as follows:

1. I am an employee for the Department of Justice for the District of Alaska and am of such age and discretion to be competent to serve papers.
2. On 10 March, 1998 I served a copy of **Declaration of Taking** on the persons named below by placing said copy in a postage prepaid envelope, certified, return receipt requested with restricted delivery, addressed to that person at the place and address stated below and by depositing said envelope and contents in the United States Mail at Anchorage, Alaska.

Addressee(s):

Milan M. Martinek
c/o Arthur E. Newman
Attorney for Defendant
3201 New Mexico Ave., N.W.
Washington, D.C. 20016

Rita M. Martinek
c/o Arthur E. Newman
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3201 New Mexico Ave., N.W.
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LORRAINE A. CARTER